

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Kevin Wayne McDaniels,)
)
Plaintiff,)
)
vs.)
)
Laura Caldwell, Warden,)
)
Defendants.)

)

Case No. 1:17-cv-3288-TLW

ORDER

On December 5, 2017, Plaintiff Kevin Wayne McDaniels, (“Plaintiff”) brought this action, *pro se* and *in forma pauperis*, requesting habeas corpus relief. ECF No. 1. This matter now comes before the Court for review of the Report and Recommendation (the Report) filed by United States Magistrate Judge Shiva V. Hodges, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), (D.S.C.). ECF No. 12. In the Report, the Magistrate Judge recommends that the case be dismissed without prejudice and without issuance of service of process pursuant to Fed. R. Civ. P. 41, for failure to prosecute. Objections were due on February 20, 2018, however, Plaintiff failed to file objections or any response to the Report.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Report and relevant filings. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation, ECF No. 12, is **ACCEPTED**, and this case is **DISMISSED** without prejudice and without issuance of service of process pursuant to Federal Rule of Civil Procedure 41 for failure to prosecute.

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

June 22, 2018
Columbia, South Carolina